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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Customer No.: 28061 **RECEIVED**

**KEITH JACKSON**

Atty. Dkt.: 13338 **AUG 14 2012**

Patent No: 6,276,974

OFFICE OF PETITIONS

Issued: 21 August 2001

For: **SWITCH SYSTEM FOR PREVENTING  
MARINE PROPELLER INJURIES**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail postage prepaid in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on 8/1/2012. By: Connie L. Summers

**COMMISSIONER FOR PATENTS  
MAIL STOP PETITIONS**

P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO REQUEST FOR INFORMATION**  
**(37 C.F.R. §1.378(b) (3))**

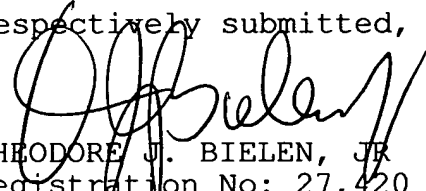
Enclosed are the further declarations of Keith Jackson and Theodore J. Bielen, Jr detailing the circumstances surrounding the non-payment of the second maintenance fee of the United States Patent 6,276,974. It is believed that the points noted by the Petition attorney has been addressed in these further Petitions.

It is also asserted that the delay in payment of the second maintenance fee of United States Patent 6,276,974 was unavoidable since it is apparent that reasonable care was taken by the Propguard Inc persons to ensure that the second maintenance fee be paid timely. The first maintenance fee was timely paid under the same steps that were followed in the payment of the second

maintenance fee. Unfortunately, the death of Mr. Robert Morgan created a gap in communications between the attorney, who normally would notice and pay such fee, and the employees of Proguard Inc., dba Maritech Industries and Propguard Inc., dba Maritech Industries itself. Such communication disruption prevented anyone, beside Mr. Morgan, from assuming the duty of paying the second maintenance fee on behalf of Propguard Inc., dba Maritech Industries, Inc.

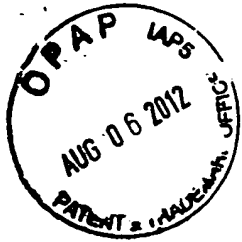
Granting of the Petition is respectively requested.

Respectively submitted,



THEODORE J. BIELEN, JR  
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Bielen, Lampe, & Thoeming  
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(925) 288-9731 (f)

Date: 1 August 2012



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on 8-1-2012 By Cynthia Dumas

**FURTHER DECLARATION OF KEITH JACKSON**  
**(37 C.F.R. §1.378(b) (3))**

I Keith Jackson, declare that I am one of the owners of United States Patent 6,276,974. I further declare that, as stated in my prior declaration, Mr. Robert Morgan, deceased, was the sole person in charge of the legal and financial affairs of Propguard Inc, the original owner of United States Patent 6,276,974. Following Mr. Morgan's death, the persons handling Mr. Morgan's estate never contacted me and, to the best of my knowledge any of the employees of Propguard Inc., concerning the payment of the maintenance fee for United States Patent 6,276,974. In fact, the representatives of Mr. Morgan's estate simply announced that the company, Propguard Inc dba Maritech Industries, was closed and that all employees were dismissed. This announcement took place

in the first week of January 2009.


Following the death of Mr. Robert Morgan, all mail was forwarded directly to the handlers of Mr. Morgan's estate. I and my co-workers continued to produce products based on the inventory of the supplies remaining after Mr. Morgan's death until we were dismissed. We became aware that many of the suppliers of parts for Propguard Inc., had not been paid by the handlers of Mr. Morgan's estate following the closing of the company in the first week of January 2009. Attempts to contact the persons managing Mr. Morgan's estate to affect payment of our suppliers were unsuccessful.

While Mr. Morgan was alive, he was the sole person in charge of the payment of bills and managing the legal affairs of the company. Mr. Morgan had no other person assisting him in this duty.

As stated in my prior declaration, upon becoming aware of the expiration of United States Patent 6,276,974, I contacted Mr. Theodore J. Bielen, Jr to arrange for immediate payment of the maintenance fee and the filing of the present petition.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements in the likes so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 that such willful false statements may jeopardize the validity of the application or any patent issuing

Date: 7/23/12

  
\_\_\_\_\_  
KEITH JACKSON

**SIGN  
HERE**



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*Connie L. Summers*

**FURTHER DECLARATION OF THEODORE J. BIELEN, JR**  
**(37 C.F.R. §1.378(b) (3))**

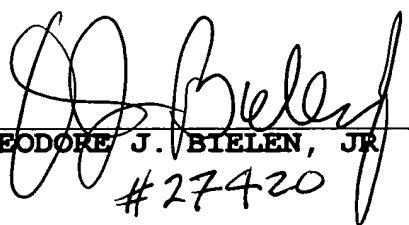
I Theodore J Bielen, Jr declare that in addition to the statements of my prior declaration, following the notice to Propguard Inc dba Maritech Industries, on 21 August 2008, no party ever contacted me or discussed the payment of the second maintenance fee for United States Patent 6,276,974 until I was contacted by Mr. Keith Jackson in early March 2012. I was also not aware of the death of Mr. Robert Morgan until that time.

Prior to the notice provided in the 21 August 2008 letter to Propguard Inc dba Maritech Industries, I successfully paid first maintenance fee for United States Patent 6,276,974. The steps my office took in notifying Propguard Inc dba Maritech Industries Inc and the payment of the first maintenance fee were

the same steps delineated in my prior declaration concerning the payment of the second maintenance fee.

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements in the likes so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 8/1/2012

  
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THEODORE J. BIELEN, JR.  
#27420